

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

IN RE:

CASE NO. 3:08-bk-05080-JAF

DAVID WILLIAM LAPAZE  
AKA DAVID W LAPAZE,

Debtor.

\_\_\_\_\_  
MBNA AMERICA BANK NA,

Plaintiff,

v.

ADV. PROC. NO. 3:08-ap-00394-JAF

DAVID WILLIAM LAPAZE  
AKA DAVID W LAPAZE,

Defendant.

\_\_\_\_\_

**JUDGMENT**

THIS CAUSE came on for consideration, ex parte, for entry of a Judgment in the above captioned adversary proceeding. The Court has considered the record and finds that the Debtor entered into a Stipulation (Doc # 7) with the Plaintiff, thereby consenting to the entry of a Judgment under certain conditions set forth in the Stipulation. Based on the Stipulation,

Accordingly, it is

ORDERED, ADJUDGED AND DECREED that Judgment be, and the same is hereby, entered on the Complaint in favor of MBNA AMERICA BANK NA, the Plaintiff, and against DAVID WILLIAM LAPAZE AKA DAVID W LAPAZE, the Defendant in the amount of \$9,935.00, and the debt owed by the Debtor to the Plaintiff in the amount of \$9,935.00 is hereby declared to be non-dischargeable pursuant to 11 U.S.C. §523(a)(2). It is further

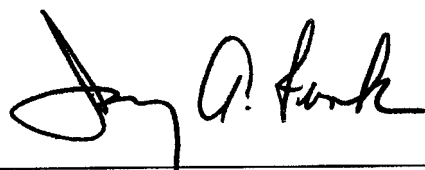
ORDERED, ADJUDGED AND DECREED that pursuant to the Stipulation, the Defendant shall make payment to Plaintiff in the amount of \$5,217.50, at 0% interest, to be paid in monthly payments of \$100.00 each, with the first payment to be made February 1, 2009. The remaining payments shall be made on the 1<sup>st</sup> day of each month thereafter, until such time as the \$5,217.50 due under the Joint Stipulation to Judgment has been paid in full. It is further

ORDERED, ADJUDGED AND DECREED that the Plaintiff shall not place the Judgment in the Public Records and shall not take any steps to collect the debt declared to be non-dischargeable by obtaining a Writ of Execution or a Writ of Replevin or levy on any properties of the Debtor as long as the Debtor complies with the repayment terms set forth in the Stipulation. It is further

ORDERED, ADJUDGED AND DECREED that the Plaintiff shall give a Satisfaction of Judgment to the Debtor upon the completion of the payment required by the Stipulation. It is further.

ORDERED, ADJUDGED AND DECREED that in the event the Debtor defaults on the repayment terms, the Plaintiff is authorized to proceed to enforce the Judgment pursuant to the provisions of the applicable law.

DONE AND ORDERED at Jacksonville, Florida, on February 9, 2008.



Jerry A Funk  
United States Bankruptcy Judge

Copies Furnished to:

David William Lapaze  
At his place of residence  
9542 Thornaby Ln  
Jacksonville FL 32256

Rehan N Khawaja, Esq  
817 N Main St  
Jacksonville FL 32202

Gary J Lublin, Esq  
109 E Church St 5<sup>th</sup> fl – POB 3146  
Orlando FL 32802-3146

Alexander G Smith, Trustee  
2601 University Blvd W  
Jacksonville FL 32217

US Trustee – JAX7  
135 W Central Blvd Ste 620  
Orlando FL 32801

RECORDED IN THE US BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION  
J.B. VOL. 53, NO. 7292